

ENTERED

December 26, 2018

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

United States of America §
§
versus § Case No. 7:18-mj-02629
§
Eduardo Roman-Martinez §

ORDER OF DETENTION PENDING TRIAL

In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), a detention hearing has been waived. I conclude that the following facts require the detention of the defendant pending trial in this case.

Part I – Findings of Fact

(1) There is a serious risk that Defendant will not appear.

Part II – Written Statement of Reasons for Detention

I find that the credible testimony and information submitted establishes by a preponderance of the evidence that there is no condition or combination of conditions that will reasonably assure the appearance of Defendant at future proceedings.

Defendant is charged with an offense in violation of Title 8 U.S.C. § 1326. Defendant is a citizen and national of Mexico with no legal status to reside in the United States. Defendant, assisted by counsel, waived a detention hearing and presented no further evidence.

Should additional evidence come to light or conditions become available that would materially affect this Court's ruling, Defendant may move to reopen the detention hearing. *See* 18 U.S.C. § 3142(f).

Part III – Directions Regarding Detention

Defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States, or on request of an Attorney for the Government, the person in charge of the corrections facility shall deliver Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Dated: December 26, 2018


J. SCOTT HACKER
UNITED STATES MAGISTRATE JUDGE